

<sup>2</sup> *Harsco Corp. v. Zlotnicki*, 779 F.2d 906, 909 (3d Cir. 1985), *cert. denied*, 476 U.S. 1171 (1986).

it appearing that (1) there has been no intervening change in controlling law; (2) no new evidence has been presented that was not available for the Court to consider; and (3) there has been no clear error of law or manifest injustice;

**IT IS** therefore on this 16th day of September, 2011,

**ORDERED** that Plaintiff's motion for an order vacating the Court's Order of judgment entered on June 14, 2011 pursuant to Fed. R. Civ. P. 59(e) [docket # 79] is **DENIED**.

s/ Faith S. Hochberg  
**HON. FAITH S. HOCHBERG, U.S.D.J.**